



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	D	ATTORNEY DOCKET NO.
11/7/97	12/19/97	GARRISON		

LM71/0609

JENKENS & GILCHRIST
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WASHINGTON DC 20236

ROBINSON EXAMINER RYCE, A

ART UNIT

PAPER NUMBER

06/09/00

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/994,047

Applicant(s)
Garrison et al.

Examiner
Akiba Robinson-Boyce

Group Art Unit
2765



☒ Responsive to communication(s) filed on Sep 2, 1999

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-28 is/are pending in the application.

Of the above, claim(s) 12 is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-11 and 13-28 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---



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A

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/994,047	12/19/97	GARRISON	33500-00001

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LM02/1105

EXAMINER
ROBINSON BOYCE, A

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11/05/99

9

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Commissioner of Patents and Trademarks

Art Unit: 2765

DETAILED ACTION

1. This action is responsive to the amendment filed 9/2/99.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kight et al. (U.S. Patent 5,383,113) in further view of Pintsov et al. (U.S. Patent 5,612,889).

Claims 1-4, 6-18, and 20-28 are rejected as discussed in paragraph #5, paper #5.

As per claims 5, 19 and 27, both Kight, et al. and Pintsov fail to disclose:

Art Unit: 2765

locating the payee record by matching the identified eleven digit zip code with the payee record zip code in the database, and matching the portion of the received payee name with a portion of the payee record payee name in the database...

Official notice is taken that it is old and well known in the bill distribution or payment art to locate a payee record by matching. It would have been obvious to one of ordinary skill in the art to locate the payee record by matching the identified eleven digit zip code with the payee record zip code in the database, and matching the portion of the received payee name with a portion of the payee record payee name in the database because this information is part of the payees account which is unique to each individual. Therefore, when the code and/or the portion of the name is matched, one would know that a specific individual has been located.

As per claim 28, Kight, et al. discloses:

establishing...(Col. 2, lines 40-41);

receiving...(Col. 2, lines 41-45);

processing...(Col. 2, lines 5-11);

Art Unit: 2765

Kight, et al. fails to teach the following, however, Pintsov discloses:

determining...directing payment...(Col. 11, lines 52-Col. 12, lines 12).

It would have been obvious to one of ordinary skill in the art to incorporate the invention of Pintsov into the invention of Kight, et al. because for payment remittance processing to occur without error, there needs to be some type of validation process which will make sure that the correct person is getting paid at the correct address.

Oath/Declaration

4. The applicant's supplemental declaration has been reviewed and accepted.
- The objection to the declaration has been withdrawn.

Claim Rejections - 35 USC § 112

5. The applicant's amendment in response to the 112 rejection of claims 5, 19 and 27 have been reviewed and accepted. The 112 rejection has been withdrawn.

Art Unit: 2765

Response to Arguments

6. Applicant's arguments filed have been fully considered but they are not persuasive.

As per claims 1-4, 6-18, and 20-26, the applicant argues that Pintsov lacks any disclosure of processing payment information to identify a correct zip code which is used to access a record. The applicant also argues that Pintsov only discloses altering the stored zip code due to an address change. This information is true, however, this is not the only thing that Pintsov discloses. Pintsov does show processing of payment information (Col. 12, lines 23-32). Here, the total postage is debited from the mailer's account (accessing a record). The mailer's account is a part of the mailing identification file which includes a list of addresses (which does include zip codes for each address). The applicant also argues that the applied combination lacks any teaching or suggestion of using a zip code to locate or retrieve a file or record and indicates that each mailpiece is marked with a mail piece ID 306 other than the zip code. However, this mail piece ID 306 is associated with each address (Col. 10, lines 54-55) and each address has a zip code.

Art Unit: 2765

The applicant even states that “the combination at best discloses using a unique id (which is associated with the zip code as described above)...to access a stored payee record (page 13, paragraph #2, paper #8).

As per claims 10 and 22, the applicant still stresses the point that Pintsov lacks the teaching or suggestion of using the identified zip code to access a database and that Pintsov uses a unique identifier other than a zip code to access files. However, the use of the unique identifier and its relation to the zip code is described above. The applicant also argues that the applied combination lacks the teaching or suggestion of using the name, city and state to identify the zip code. However, Kight, et al. discloses receiving a name and address for establishing a payment (Col. 3, lines 32-34) and Pintsov teaches that the unique identification number (which is associated with the zip code and used to access a file as described above) is comprised of the mailer’s identification which in the postal industry is the mailer’s name and address (which includes the city and state).

As per claims 8, 14 and 20, the applicant argues that Kight, et al.’s disclosure relates to verifying a bank account number and not to verifying a merchant account

Art Unit: 2765

number. Although the account number belongs to the bank, prior art still discloses the entire method and all of the steps necessary for validating the account. Also, Kight, et al. does disclose the validation of a merchants account (Col. 7, lines 10-12). The applicant also argues that Pintsov fails to disclose what the error correction is used for and also lacks any teaching of validation an account number based on validation rules corresponding to payee values for fields of the account number. Although it is true that Pintsov does not disclose what the error correction is used for, Pintsov does disclose validating the mailer identification file (which does comprise the mailer account number) (Col. 11, line 56-Col. 12, line 4). This validation process is done using an encryption validation process.

As per claims 9, 15, 21 and 24, the applicant argues that Pintsov lacks any disclosure of using a merchant account number to identify one of a plurality of different delivery points associated with a single entity. However, Pintsov does use the mailing file (which comprises a mailer account number) which is used to access the destination delivery code. In this case, the mailer's account and not the merchant's account is used to identify delivery points. Although Pintsov uses the

Art Unit: 2765

mailer's account for this identification, all of the steps necessary for the identification of the delivery points are disclosed.

As per claim 23, the applicant argues that Pintsov fails to disclose the alteration of the unique identification number . The applicant also argues that Pintsov can be used to update the merchant database, but not alter the account number. However, the mailing identification file does comprise a unique identification number and delivery point postal code. The unique identification number (which is associated with the mailer's account number and each of the addresses listed on the mailing identification file) does have a specific format (Col. 10, lines 61-65). Pintsov does disclose the alteration of the zip code due to an address change, however, depending on the mailer, the format for the unique identification number is going to change. For example, the mailers identification, the mail piece count (312) and the number of characters in the address (314) will be different for each mailer on the mailing list.

New claim 28 is rejected as discussed above in paragraph #3.

Art Unit: 2765

Conclusion

7. An inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba Robinson-Boyce whose telephone number is (703) 305-1340. The examiner can normally be reached on Monday-Friday from 6:30AM-3:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allen MacDonald, can be reached on (703) 305-9708. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3988.

An inquiry of a general nature or relating to the status of this application proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Application/Control Number: 08/994047

Page 10

Art Unit: 2765

Akiba Robinson-Boyce

Patent Examiner

Group Art Unit 2765

November 2, 1999



ALLEN R. MACDONALD
SUPERVISORY PATENT EXAMINER

Allen R. MacDonald

Allen R. MacDonald